

**Remarks by Marianne Lamont Horinko
2002 RCRA National Meeting
Opening Plenary Session
January 15, 2002**

- Good morning.
- What a pleasure it is to be presiding over the first RCRA National meeting that is open to the public. We have much to do in the RCRA policy area: important work that cannot and will not be done without full participation of all of our stakeholders.
- The theme for this conference is partnerships, and I cannot think of a more appropriate way to meet the challenges and opportunities that lie ahead than to launch an important conversation among EPA, our State and Tribal partners, business and industry; local government officials, environmental and community activists and others who have an interest in the future direction of our programs.
- I also welcome this opportunity to meet so many of you for the first time and to also reconnect with old colleagues and friends.
- I feel especially fortunate to know so many of you from my “other lives” –right here at EPA as Attorney Advisor to Don Clay nine years ago; from my work running the RCRA Policy Forum in the business sector, and as an environmental attorney in DC.
- I would like to start off by telling you a little about my first few months here at EPA; give you a glimpse of my five priorities for OSWER, and the sixth one– counter-terrorism, that I certainly didn’t know was a major part of this job when I got here last August!
- Hopefully, there will be enough time for me to answer your questions when I am finished.

September 11– War Time: Peace Time

- When I interviewed with Governor Whitman and the White House for the job of AA for OSWER, the position we discussed was not exactly the position it turned out to be.
- What evolved after the shocking events of September 11, was a dual job– one for war time and one for peace time.
- As you might expect, the overarching priority area in the Agency since September 11 is counterterrorism response and preparedness to insure homeland security.
- So, what I had considered to be a five-part domestic agenda for OSWER became a six part agenda, with counter-terrorism at the forefront.

- Let me tell you about the original five items first, and we will close with a discussion of number six: CT.
- My original agenda consists of five major focal areas: the move toward one cleanup program; revitalization-- expanding the “Brownfields phenomenon” to all of our programs; energy recovery and waste minimization; a major retail initiative and workforce development.

Move toward One Cleanup Program

- The “One Cleanup Program” is a national dialogue on the nation’s cleanup programs with an eye toward creating a one cleanup program mentality.
- A critical aspect of the dialogue will be the relationship of Superfund to other federal and state cleanup programs with an eye toward encouraging all waste programs to work together in a more unified fashion.
- We are in the final stages of putting together a Federal Advisory Committee with broad-based membership to engage the public in this dialogue to launch this exciting discussion.
- How does this effort relate to what’s going on in RCRA today?

S The RCRA Corrective Action Program has been innovative in its work with state, industry and community partners particularly over the past two years. In particular, the RCRA Cleanup Reforms of 1999 and 2001 are EPA’s comprehensive effort to spur protective but faster and more efficient progress toward our national 2005 “interim” cleanup goals.

S These Environmental Indicator goals are designed to control unacceptable human exposures at 95% of the 1,714 baseline facilities and to control migration of contaminated ground water at 70% of these facilities.

S I would like to thank those companies that accepted our EI challenge. Firms, including some who are here in the audience today, who have committed themselves to meet the EI goals at all of their facilities and are working with EPA, states, and local communities in order to do so.

S And it’s because of commitment like that at all levels in the process that we are currently ahead on both EI goals at the national level.

S Regions and states have reported human exposures controlled at 48% of the baseline compared to the goal of 40%, and groundwater migration controlled at

41% compared to the goal of 30%. In fact, there are 630 facilities that meet both EIs.

- But EIs aren't all we've been doing under the Corrective Action Reforms. We've also developed the RCRA Showcase Pilots. These pilots are designed to illustrate innovative efforts towards meeting cleanup goals, and stimulate others to explore using similar efforts at their sites. There are 31 Pilots underway in more than 20 states and spanning all 10 Regions.
- I am very excited about these pilots because they will help us achieve several goals consistent with the RCRA reforms and help change the way we look at future corrective actions.
- We've also been working on a number of guidance documents, to help clarify various cleanup policies within the Corrective Action program. One such guidance is a handbook that provides answers to over 100 commonly asked questions.
- We issued the Handbook, in part, to promote discussions, like those planned for one of the sessions at the National meeting all day tomorrow.
- Your active participation in those sessions can certainly have an impact on future updates of the Handbook and improvements to how we address groundwater in general.
- In addition, this December saw the publication of the Corrective Action Management Unit (CAMU) Amendments Final Rule. The CAMU Amendments were developed in response to the desires of some stakeholders for greater assurance regarding the protectiveness of CAMU remedies. We believe these amendments provide for that assurance, while still offering a tool to facilitate and enhance cleanups.

Revitalization

- I asked a Steve Luftig, a senior-level Agency executive to assist me in advocating revitalization/reuse across all of the cleanup programs under my watch. Incidentally, he will be kicking off the RCRA Brownfields track I mentioned earlier. In his larger role, Steve will be instrumental in:
 - S making reuse an integral part of the way we do business at headquarters and in EPA Regions;
 - S spreading the word about how revitalization goals can complement our traditional cleanup programs and lead to faster cleanups and even better environmental results; and

S promoting more broadly the lessons learned by EPA in its brownfields efforts to date.

- Before becoming Assistant Administrator for the Office of Solid Waste and Emergency Response, I supported the Agency on RCRA Brownfields projects. I saw first-hand the need to move the organizational culture forward.
- As Assistant Administrator, I fully expect EPA Regions to make property reuse an integral part of the way we do business, and to work closely with their states to identify RCRA brownfields prevention opportunities.
- In addition, I expect EPA Regions to expand their outreach to increase community involvement in brownfields decisions at the site level.
- My initiatives in these areas are at various stages of development and implementation. In many cases, though, we have accomplishments that we can already be proud of and that can serve as models for developing yet more partnerships and innovations.

Energy Recovery and Recycling Priority Area

- My third priority area is energy recovery, recycling and waste minimization. In the spring, I will unveil an ambitious innovations agenda which will feature interesting pilots and approaches in this arena, as well as others. I will lay out a number of avenues I'll be pursuing over the next several years. However, let me take this opportunity to highlight some of the exciting work already underway.

Recycling and Waste Minimization

S There are some very creative activities going on in recycling and waste prevention/reduction and minimization as well.

S One good example comes from the electronics arena. Electronics make up a small, but fast-growing portion of the national waste stream.

S Management of end-of-life electronics is receiving increasing attention in the national media and from industry and all levels of government. In the next five years alone, over 250 million personal computers will be retired.

S We have just prepared a draft rule proposing to streamline RCRA requirements for cathode ray tubes (CRTs) from used computers and televisions.

S The proposal will provide a conditional exclusion from RCRA for CRTs and glass from CRTs that are sent for recycling. The rule will encourage greater

reuse, recycling, and better local and regional management of this rapidly growing wastestream.

- S We are also preparing to finalize our Waste Minimization Priorities. We plan to identify those specific chemicals that are prevalent in hazardous waste, and are important to the RCRA program.
- S These priority chemicals offer the opportunity to achieve environmental gains through source reduction or environmentally sound recycling.
- S We will be seeking voluntary partnerships with states, companies, and others, to explore opportunities for reducing or recycling these chemicals, as part of a larger initiative designed to encourage waste reduction and energy recovery.
- S And I'm very excited about the progress we are seeing in reduction of waste minimization priority chemicals being disposed. We have a goal to reduce the release of priority chemicals we've identified by 50% by the year 2005 (using 1991 as the baseline year). As part of my initiative announcement, I intend to release a Trends Report that shows that we are well on our way to meeting the 2005 goal.
- S We're also looking at RCRA incentives for companies that participate in EPA's Performance Track program, as well as other ways to support those who are using environmental management systems (EMSs).
- S Hazardous waste recycling is another area that we're working on, including several XL and ECOS-sponsored projects. We're finding ways to encourage legitimate recycling by modifying certain regulatory controls, while building in sensible protections to ensure recycled products are good and clean products.

Energy Recovery

- S Currently, there are some wastes where the potential exists to actually use the waste as an energy source. Our work in the energy recovery area is to see how RCRA programs can help to realize this potential while still protecting human health and the environment.
- S We believe that municipal solid waste and biomass should be regarded as an energy resource. The US Department of Energy estimates that application of the controlled bioreactor technology to 50% of the waste currently being landfilled could provide over 270 billion cubic feet of methane a year, sufficient to supply 1% of US electrical needs.

- S For example, we will work over the next few years to encourage safe use of new techniques to turn waste into fuel, including use of co-firing for biomass and enhancement of methane yields from landfills.
- S Similarly, we are about to propose for public comment and review a change in our regulations that will promote productive use of the energy value of wastes in gasifiers.
- S This will be a direct benefit to communities like El Paso, TX, represented on the stage today by Mayor Caballero, which are struggling for economic and energy self-sufficiency.

Retail Initiative

- Another priority area is a major retail initiative that encourages consumers and individuals to think about environmental issues. The retail initiative will include a focus on products as well as company systems and industrial processes. Products focus our attention on product stewardship, design, materials use, supply chains, and reuse/remanufacturing/recycling when a product has reached the end of its useful life.
- Example of the Sega/Sony “reduce/reuse/recycle” at video arcades and how we can use point of purchase strategies to both work with manufacturers and raise awareness of consumers at the point of purchase.

Product Stewardship Initiatives

- S We are actively pursuing Product Stewardship Initiatives, where EPA will support dialogues and actions with the key players in the life cycle of important products, to make progress in reducing environmental impacts through voluntary, cooperative approaches.
- S Following several dialogues with the carpet industry, I am delighted to announce a breakthrough!!
- S Memorandum of Understanding was signed just last week by EPA and the carpet industry’s trade association and major manufacturers as well as participating state and regional governments.
- S This document establishes a dramatic new national goal for recovery of used carpets, creates a new industry-funded organization to support the development of recycling infrastructure, and provides for government procurement and market development initiatives to support this undertaking. EPA looks forward to working with our partners to carry out this exciting new effort.

- S In 2002, we expect to make substantial progress with our government and business stakeholders in voluntary negotiations to increase the recovery of end-of-life electronic products as well.
- S Participants in an EPA-supported series of voluntary negotiations involving electronics manufacturers, recyclers, retailers, state and local governments, and non-governmental organizations will look to develop national solutions for increasing the rate of electronic product recycling.
- S These discussions will be informed by the results of several EPA-funded pilot programs to test collection approaches for electronic products and explore opportunities for more environmentally positive product designs.

Workforce Development

- The last of my original priority areas that I want to briefly mention today is creation of a workforce development strategy. This strategy will include new recruitment, retention and training approaches that will address the issue of retirement by a significant percentage of EPA's senior-level management and staff over the next several years.

Counterterrorism - the Uncharted Priority

- S Never, in my wildest imaginings, did I picture myself as a lead player on the cleanup following terrorist attacks at WTC and the Pentagon; let alone, the national lead on the cleanup of bioterrorism at the Hart Building, Brentwood Post Office, and other sites across the country.
- S EPA's counterterrorism efforts are part of the Agency's broader mission to protect human health and the environment.

Unsung Heroes of EPA

- The Agency has first responders (called On Scene Coordinators) who are located throughout the EPA Regions. These individuals are actively involved with local, state, and federal authorities in preparing for and responding to threats of terrorism.
- They have broad response authority and a proven record of success in responding rapidly to emergency situations.
- S For example, at the World Trade Center, EPA is still involved in assisting with debris removal and cleanup of dust. You can hear more about the daunting challenges posed by World Trade Center cleanup and how EPA, state and local, and private industry are all contributing to safe cleanup in the plenary session on Friday.

- EPA has the lead advisory role in cleaning up anthrax contaminated sites. Just a few blocks away, EPA Region 3 is remediating the Capitol Hill anthrax site under the direction of the U.S. Capitol.
- At other contaminated sites, such as the postal facilities, first responders from various regional EPA offices are providing technical guidance to the organizations undertaking the remediations. An important aspect of cleaning up these sites is disposing of the wastes generated both from the attack and during the remediation process.
- EPA is taking the lead in developing a technical assistance document for responding to anthrax attacks. The document is now being coordinated with other federal agencies.
- EPA has also developed a draft interim advisory on the management of wastes from anthrax contaminated sites, based on current knowledge, to help ensure safe handling and appropriate disposal.
- The anthrax attacks through the mail have challenged us to respond to new threats and to develop and refine procedures as we act and learn from those actions.
- An important part of this process has been the new ties we have forged with other agencies with roles in addressing bioterrorism threats and the high level of coordination that has evolved among these agencies.
- It is truly a partnership effort and connects us with the concerns that workers and citizens feel in these times.

S You can learn more about anthrax issues and what EPA and our partners are doing at the anthrax session on Thursday.

Brownfields

- S Another priority area – for the President, Governor Whitman and myself – is reducing the number of brownfields in the country.
- S This directly relates to my Revitalization objective, for in a sense, it is what inspires and motivates us to spread the brownfields gospel across agency cleanup programs.

Brownfields Legislative Victory

- We are quite excited that President Bush just signed into law last Friday the recently passed brownfields legislation.
- The brownfields legislation authorizes our brownfields program, increases funding

authorizations for our revitalization program, addresses liability concerns of purchasers and future users of brownfields.

- Importantly, and allows a site by site basis provision, to provide some funding for specific RCRA Brownfields projects.

S Governor Whitman has praised the brownfields legislation for providing increased funding and greater flexibility to state and local partners in running their own cleanup programs.

S Importantly, it assures prospective redevelopers that the federal government will not hold them responsible for past pollution at the sites.

- Commercial/industrial Brownfields within communities is a high priority area because many of our hazardous waste sites are prime properties which could be reused/revitalized to provide needed economic and social benefits to their communities such as through development, recreation, or greenspace and ecological benefits.
- The national brownfields universe is estimated at more than 600,000 to one million sites. These sites, depending on their characteristics, fall under the responsibility of various EPA programs, including Superfund, RCRA and underground storage tanks.
- Brownfields also include military bases that have closed and relocated. There are roughly 6,000 sites in the RCRA Corrective Action universe.
- Many of these could turn into Brownfields unless we act to prevent them, by working early and jointly to cleanup existing contamination and establish a path forward that leads to sustainable reuse and “return” to the local community.

- At EPA, we are expanding our programs to address brownfields prevention and put brownfields sites back into productive use.

S We have an active RCRA Brownfield program as a key part of RCRA Corrective Action Reforms spearheaded by the EPA/State RCRA Brownfields Workgroup, that has initiated RCRA Brownfields Prevention Pilots, conducted outreach, funding Targeted Site Efforts and developed information, policy and legal tools to address RCRA Brownfields Prevention.

S This year, we are tripling funding for the Targeted Site Effort. The

funding will help support community outreach meetings and other activities that may prove to be a catalyst for cleanup and reuse of facilities.

S Tomorrow, there will be an all day track that is, multiple sessions, on the RCRA Brownfields program and on issues related to RCRA Brownfields.

S In addition, EPA is expanding efforts for use of brownfields in the Underground Storage Tank Program, Superfund Program for National Priority List sites, sites with leaking petroleum tanks, and federal facilities.

- I hope that I have given you a useful overview of our priority areas and a good sampling of our accomplishments and our successful working partnerships, as well as the promise for things to come.
- On a final note, over the past two years, EPA and its State and Tribal partners have worked together on a new “vision” of RCRA that might be appropriate for the future. The priorities and initiatives I will be pursuing will be important building blocks to leading the RCRA program toward that innovative, more modern vision.
- I value this opportunity to lead the RCRA program into a new era where there is greater emphasis on expanding our partnerships and on increasing environmental results to which communities can contribute and enjoy.
- In my opinion, the strong principle which weaves my priorities together is that economic viability and environmental protection go hand in hand.
- Whether through brownfields -inspired revitalization; the move toward one cleanup program; energy recycling and waste minimization; or the retail initiative, I believe that environmental protection can flourish within the context of strong, economic viability.
- This Brownfields legislation announcement last week proves that this Administration believes that environmental protection is a powerful engine that can drive economic growth. The strong presence today of public and private sector stakeholders– here to network and learn and create partnerships is a powerful symbol of the great progress and stunning accomplishments that lie ahead.
- Thank you for joining me in this important journey!
- I would like to end by thanking EPA staff and our state and local counterparts for the work you do everyday to clean up contaminated properties; to address chemical accidents and oil spills; to manage waste safely; and to minimize

waste and encourage recycling.

- And I want to thank the risk takers and the entrepreneurs- the bankers, the lenders and the developers who make the deals and create a major shift in the way formerly contaminated property is turned from community liabilities to assets.
- I will be happy to take your questions during the question-and-answer period of this plenary session.